

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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PHOENIX NPL, LLC,

Plaintiff,

-against-

1:15-CV-00080

CAPITAL HOTEL, INC.; CHIRAG KABRA WALA;  
ASHOK DHABUWALA a/k/a ASHOK M.  
DHABUWALA a/k/a ASHOK BHABUWALA;  
BRANDON LEVIN a/k/a BRANDON LEVINE;  
NEW YORK STATE DEPARTMENT OF  
TAXATION AND FINANCE; JOHN DOE AND  
JANE DOE NO. 1 THROUGH NO. 10, the last ten  
(10) names being fictitious and unknown to the  
Plaintiff, the persons or parties intended being the  
tenants, occupants, persons or parties, if any, having or  
claiming an interest in or lien upon the premises  
described in the verified complaint.

Defendants.

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THOMAS J. McAVOY,  
Senior United States District Judge

**ORDER APPROVING RECEIVER'S FINAL  
ACCOUNTING AND DISCHARGING RECEIVER**

Upon the Declaration of Mark A. Slama, Esq., dated June 20, 2017, the Declaration of Jeffrey Kolessar, dated June 16, 2017, and all prior proceedings had heretofore in this action, it is hereby

**ORDERED** that Plaintiff's motion to Approve the Receiver's Final Accounting and Discharge the Receiver [dkt. # 83] is **GRANTED**; and it is further

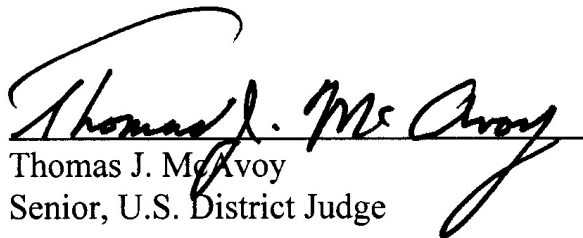
**ORDERED, ADJUDGED AND DECREED**, that the final accounting submitted by Jeffrey Kolessar (the "Receiver"), the receiver appointed by the Order of this Court dated June 2, 2016 (the "Receiver Order"), as set forth in his declaration in support of the Plaintiffs motion to Approve the Receiver's Final Accounting and Discharge the Receiver, is hereby approved; and it is further

**ORDERED, ADJUDGED AND DECREED**, the Receiver is hereby discharged from his duties as receiver for the Mortgaged Premises; and it is further

**ORDERED, ADJUDGED AND DECREED**, that, pursuant to this Order and based upon a finding that the Receiver has faithfully discharged his duties as the receiver of the Mortgaged Property, the undertaking executed by the Receiver on or about June 3, 2016 in the penal sum of \$50,000.00 (fifty thousand dollars) is hereby cancelled.

**IT IS SO ORDERED.**

Dated: August 3, 2017

  
Thomas J. McAvoy  
Senior, U.S. District Judge